

Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Filed 14 October 2008

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

RICHARD HARKINS, DEBORAH PARKES, GORDON PARRY,
RENATE PARRY, AND DOUGLAS W. SCHNEIDER
Junior Party
(U.S. Application 10/624,884),

v.

SHUJATH M. **ALI**, YONGMING SUN, SUSANA SALCEDA,
HERVE RECIPON, AND ROBERT CAFFERKEY
Senior Party
(U.S. Patent 7,364,862).

Patent Interference No. 105,635 (MPT)
(Technology Center 1600)

JUDGMENT - ADVERSE - Bd. R. 127(b)

1 Before RICHARD E. SCHAFER, MICHAEL P. TIERNEY, and JAMES T.
2 MOORE, *Administrative Patent Judges*.

3
4 TIERNEY, *Administrative Patent Judge*
5

6 Harkins has filed a request for adverse judgment as to Count 1, the sole
7 count in interference. (Paper 23). Harkins states that it concedes priority without
8 the parties having entered into any settlement agreement and that there are no
9 documents to be filed pursuant to 35 U.S.C. §135(c). (Paper 23, p. 2). No motions
10 have been filed in this interference.

11 It is:

12 ORDERED that judgment on priority as to Count 1, the sole count in
13 interference (Redeclaration, Paper 15), is awarded against Junior Party Harkins.

14 FURTHER ORDERED that claims 30, 31, 33-35 and 37-47 of Harkins’
15 involved ‘884 application, all of which correspond to Count 1, be FINALLY
16 REFUSED, 35 U.S.C. § 135(a).

17 FURTHER ORDERED that a copy of this judgment be entered in the
18 administrative records of the involved Harkins’ ‘884 application and involved Ali
19 ‘862 patent.

20 /Richard E. Schafer)

21 RICHARD E. SCHAFER)

22 Administrative Patent Judge)

23)

24 /Michael P. Tierney/) BOARD OF PATENT

25 MICHAEL P. TIERNEY) APPEALS AND

26 Administrative Patent Judge) INTERFERENCES

27)

28 /James T. Moore/)

29 JAMES T. MOORE)

30 Administrative Patent Judge)

1 cc (via electronic filing):

2
3 Attorney for Harkins:

4
5 Sarah B. Adriano, Esq.

6 SaraLynn Mandel, Esq.

7 MANDEL & ADRIANO

8 572 E. Green Street, Suite 203

9 Pasadena, CA 91101

10 Tel: 626-395-7801

11 Email: sbadriano@mandeladriano.com

12 Email: slmandel@mandeladriano.com

13
14
15 Attorney for Ali:

16
17 Debra A. Shetka, Esq.

18 FISH & RICHARDSON P.C.

19 60 South Sixth Street

20 3300 RBC Plaza

21 Minneapolis, MN 55402

22 Tel: 612-335-5070

23 Direct Dial: 314-226-9585

24 Email: shetka@fr.com

25
26 Richard Bone, Esq.

27 FISH & RICHARDSON P.C.

28 500 Arguello Street, Suite 500

29 Redwood City, CA 94063

30 Tel: 650-839-5070

31 Email: richardbone@fr.com